



IFW

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00
OR CREDIT ANY EXCESS IN THE FEES DUE WITH
THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 19-0365

File No. JB01603K3 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Altmann et al.

Serial No.: 10/736,769

Group Art Unit: TBA

Filed: December 16, 2003

Examiner: TBA

For: NPC1L1 (NPC3) AND METHODS OF USE THEREOF

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This statement is made in compliance with 37 C.F.R. §1.56, 1.97 and 1.98. The Examiner's attention is directed to the documents listed on the accompanying form PTO-1449 and the enclosed copy of each listed document. Consideration of each cited document, and the return of an initialed, duplicate copy of the enclosed form PTO-1449 to indicate such consideration, are respectfully requested.

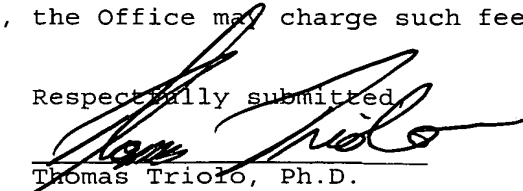
These documents may be relevant to examination of the application. Inclusion of a document is **not** an admission that the document is prior art with respect to the invention of the application and is **not** to be construed as an admission that anything in the document renders any claim of the application unpatentable.

This statement is submitted before a first office action on the merits of the Application; accordingly, Applicants believe that no fee is required. If, however, any fees are due, the Office may charge such fees to Deposit Account No. 19-0365.

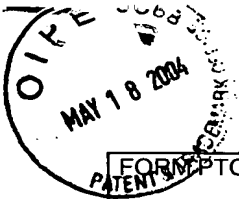
Date:

May 11, 2004

Respectfully submitted,


Thomas Triofo, Ph.D.
Registration No. 48,001
Agent for Applicant(s)

Schering-Plough Corporation
Patent Department; K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, NJ 07033
908-298-2347



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
JB01603K3SERIAL NO.:
10/736,769INFORMATION DISCLOSURE STATEMENT
FOR PATENT

(Use several sheets if necessary)

APPLICANT:
Altmann *et al.*FILING DATE:
December 16, 2003GROUP:
TO BE ASSIGNED

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	US RE37,721 E	05/28/02	Rosenblum <i>et al.</i>	514	210	
	AB	5,306,817	04/26/94	Thiruvengadam <i>et al.</i>	540	200	
	AC	5,561,227	10/01/96	Thiruvengadam <i>et al.</i>	540	200	
	AD	5,618,707	04/08/97	Homann <i>et al.</i>	435	146	
	AE	5,624,920	04/29/97	McKittrick <i>et al.</i>	514	210	
	AF	5,631,365	05/20/97	Rosenblum <i>et al.</i>	540	200	
	AG	5,656,624	08/12/97	Vaccaro <i>et al.</i>	540	210	
	AH	5,627,176	05/06/97	Kirkup <i>et al.</i>	514	210	
	AI	5,633,246	05/27/97	McKittrick <i>et al.</i>	514	210	
	AJ	5,661,145	08/26/97	Davis	514	210	
	AK	5,688,785	11/18/97	Vaccaro	514	210	
	AL	5,688,787	11/18/97	Burnett <i>et al.</i>	514	210	
	AM	5,688,990	11/18/97	Shankar	560	39	
	AN	5,698,548	12/16/97	Dugar <i>et al.</i>	514	210	
	AO	5,728,827	03/17/98	Thiruvengadam <i>et al.</i>	540	200	
	AP	5,739,321	04/14/98	Wu <i>et al.</i>	540	200	
	AQ	5,744,467	04/28/98	McKittrick <i>et al.</i>	514	210	
	AR	5,756,470	05/26/98	Yumibe <i>et al.</i>	514	25	
	AS	5,767,115	06/16/98	Rosenblum <i>et al.</i>	514	210	
	AT	5,846,966	12/08/98	Rosenblum <i>et al.</i>	514	210	
	AU	5,856,473	01/05/99	Shankar	540	200	
	AV	5,886,171	03/23/99	Wu <i>et al.</i>	540	200	
	AW	5,919,672	07/06/99	Homann <i>et al.</i>	435	121	
	AX	6,093,812	07/25/00	Thiruvengadam <i>et al.</i>	540	200	
	AY	6,096,883	08/01/00	Wu <i>et al.</i>	540	200	
	AZ	6,133,001	10/17/00	Homann <i>et al.</i>	435	121	
	BA	6,207,822	03/27/01	Thiruvengadam <i>et al.</i>	540	200	
	BB	6,627,757	09/30/03	Fu <i>et al.</i>	546	272.4	
	BC	6,632,933	10/14/03	Altmann <i>et al.</i>	536	17.4	
	BD	6,593,078	07/15/03	Altmann <i>et al.</i>	435	4	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	BE	WO 01/70974	09/ 27/01	WIPO	C12N	15/12	Abstr.	
	BF	WO 01/57190	08/09/01	WIPO	C12N			

BG	WO 03/100094	12/04/03	WIPO	C12Q	1/68		
BH	WO 00/20623	04/13/00	WIPO	C12P	41/00		
BI	WO 00/34240	06/15/00	WIPO	C07D	205/08		
BJ	WO 00/60107	10/12/00	WIPO	C12P	17/10		
BK	WO2004/014947 A1	02/19/04	WIPO	C07K	14/47		
BL	WO 00/63703	10/26/00	WIPO	G01N	33/92		
BM	WO 02/079174	10/10/02	WIPO	C07D	263/00		
BN	WO 00/63703	10/26/00	WIPO	G01N	33/92		
BO	WO 01/75067	10/11/01	WIPO	C12N			
BP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BQ	Minhas, "Current Progress in Lipid Therapy" Br. J. Cardiology 10(1): 59-68 (2003)
BR	Abstracts 1-79 from "The International Conference on Niemann-Pick Type C Disease"; May 29-31, 2003; Tuscon, Arizona.
BS	Carstea <i>et al.</i> , "Niemann-Pick C1 disease gene: homology to mediators of cholesterol homeostasis" Science 277:228-231 (1997).
BT	Polypeptide Sequence ABG22693 disclosed in WO 01/75067.
BU	Genbank Sequence Disclosure; Accession No. AF192522.
BV	Genbank Sequence Disclosure; Accession No. AF002020.
BW	Davies <i>et al.</i> , "Evidence for a Niemann-pick C (NPC) gene family: identification and characterization of NPC1L1" Genomics 65(2): 137-145 (2000).
BX	Ioannou <i>et al.</i> , "The structure and function of the Niemann-Pick C1 protein." Mol. Genet. Metab. 71(1-2): 175-181 (2000).
BY	Genbank Sequence Disclosure, Accession No. AK078947.
BZ	Altmann <i>et al.</i> , "The identification of intestinal scavenger receptor class B, type I (SR-BI) by expression cloning and its role in cholesterol absorption." Biochim. Biophys. ACTA 1580: 77-93 (2002).
CA	DeNinno <i>et al.</i> , "Steroidal glycoside cholesterol absorption inhibitors" J. Med. Chem. 40(16):2547-2554 (1997).
CB	Kramer, <i>et al.</i> , "Characterization and identification of the intestinal cholesterol uptake system" Falk Symposium 129, Bile Acids: From Genomics to Disease and Therapy, 147-160 (2003).
CC	Amigo <i>et al.</i> , "Relevance of Niemann-Pick Type C1 Protein Expression in Controlling Plasma Cholesterol and Biliary Lipid Secretion in Mice" Hepatology 36(4): 819-828 (2002).
CD	Repa, <i>et al.</i> , "Inhibition of cholesterol absorption by SCH 58053 in the mouse is not mediated via changes in the expression of mRNA for ABCA1, ABCG5, or ABCG8 in the enterocyte" Journal of Lipid Research 43:1864-1874 (2002).

EXAMINER	DATE CONSIDERED
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
CE	Hauser <i>et al.</i> , "Identification of a Receptor Mediating Absorption of Dietary Cholesterol in the Intestine" <i>Biochemistry</i> 37(51): 17843-17850 (1998).	
CF	Acton <i>et al.</i> , "Expression Cloning of SR-BI, a CD36-related Class B Scavenger Receptor" <i>The Journal of Biological Chemistry</i> 269(33): 21003-21009 (1994).	
CG	Hernandez <i>et al.</i> , "Intestinal absorption of cholesterol is mediated by a saturable, inhibitable transporter" <i>Biochimica et Biophysica Acta</i> 1486: 232-242 (2000).	
CH	Detmers <i>et al.</i> , "A target for cholesterol absorption inhibitors in the enterocyte brush border membrane" <i>Biochimica et Biophysica Acta</i> 1486: 243-252 (2000).	
CI	Smart <i>et al.</i> , "Annexin 2-caveolin 1 complex is a target of ezetimibe and regulates intestinal cholesterol transport" <i>Proc. Natl. Acad. Sci.</i> 101(10):3450-3455 (2004).	
CJ	Dawson <i>et al.</i> , "Intestinal cholesterol absorption" <i>Curr Opin Lipidol.</i> 10(4):315-320 (1999).	
CK	Allayee <i>et al.</i> , "Biochemistry. An absorbing study of cholesterol" <i>Biochemistry. An absorbing study of cholesterol. Science.</i> 290(5497):1709-1711 (2000).	
CL	Berge <i>et al.</i> , "Accumulation of dietary cholesterol in sitosterolemia caused by mutations in adjacent ABC transporters" <i>Science</i> 290(5497):1771-1775 (2000).	
CM	Jourdheuil-Rahmani <i>et al.</i> , "Biliary anionic peptide fraction and apoA-I regulate intestinal cholesterol uptake" <i>Biochem Biophys Res Commun</i> 292(2):390-5 (2002).	
CN	Werder <i>et al.</i> , "Role of scavenger receptors SR-BI and CD36 in selective sterol uptake in the small intestine" <i>Biochemistry</i> 40(38):11643-50 (2001).	
CO	Zetia™ Prescribing Information Sheet.	
CP		
CQ		
CR		
CS		
CT		
CU		
CV		
CW		
CX		
EXAMINER		DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>		